

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-30003-MAP

MICHAEL PACHOLSKI,
Plaintiff

v.

AIG INSURANCE COMPANY,
Defendant

U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS
JUN 4 2004
FILED
CLERK'S OFFICE

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1

Pursuant to the Court's Notice Of Scheduling Conference and Local Rule 16.1, the parties respectfully submit the following joint statement:

1. Counsel for both parties have conferred pursuant to Local Rule 16.1(B) and this Court's order.

a. The matters to be discussed at the scheduling conference on May 27, 2004 should include those outlined in ¶ 3 *infra*, which are solely scheduling matters.

b. The parties discussed a proposed pretrial schedule, outlined in ¶ 3 *infra*.

c. Neither plaintiff nor defendants consent to trial by magistrate at this time, but may do so if warranted as the case develops.

2. Plaintiff has presented a written settlement proposal to the defendant in accordance with Local Rule 16.1(C).

3. Proposed pretrial schedule (Local Rule 16.1(D)). The parties propose the case management plan below, subject to further motions as presented by the parties jointly or individually.

Discovery: Discovery to close by November 27, 2004. Expert witness disclosures pursuant to Fed. R. Civ. P. 26(a)(2)(B) to be made by January 15, 2005. Further expert witness disclosure pursuant to Fed. R. Civ. P. 26(a)(2)(C) to be made by February 15, 2005. The parties reserve the right to raise any and all objections, as appropriate and as necessary, to any written and/or oral discovery.

Dispositive motions: All dispositive motions to be served no later than March 30, 2005. Any responses or motions under Fed. R. Civ. P. 56(f) to reopen discovery to be served no later than April 30, 2005.

Status conference: A status conference shall be held on May 31, 2005 to determine a date for a hearing on dispositive motions.

Pretrial conference: Set by the Court after ruling upon dispositive motions.


4. The certification required by Local Rule

16.1(D)(3) to be completed by the defendant and its counsel and the certification required by Local Rule 16.1(D)(3) to be completed by the plaintiff will be filed as soon as possible.

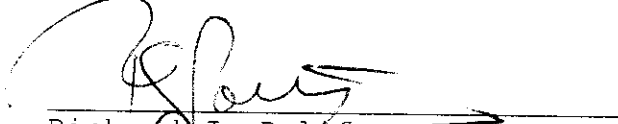
Disputed Points: In accordance with this Court's Notice Of Scheduling Conference, the parties hereby state that they have not identified any disputed points of their Joint Statement and therefore agree that the presumptive discovery limits set forth in Local Rule 26.1 [c) shall apply.

Respectfully submitted,

FOR THE PLAINTIFF


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FOR THE DEFENDANT


Richard J. Poliferno, Esq.
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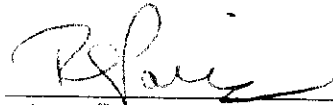
CERTIFICATE OF SERVICE

I, Richard J. Poliferno, Attorney for the Defendant, hereby certify that on this 12 day of May, 2004, I have served a copy of the following document:

Joint Statement Pursuant to Local Rule 16.1

by mailing a copy of the same first class mail, postage prepaid, to counsel of record:

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